


## CERTIFICATION

I, hereby certify, pursuant to my authority as Attorney General of the State of Georgia, based upon the information furnished to me by the Environmental Protection Division of the Georgia Department of Natural Resources and my review of same, that, in my opinion, the laws of Georgia cited in the application for authorization of a Coal Combustion Residual permitting program have been lawfully enacted at the time of this certification and the rules of the Board of Natural Resources amending and promulgating new rules under Ga. Comp. R. & Regs., 391-3-4-10(3)(a); 10(3)(b); 10(3)(c); 10(3)(d); 10(3)(e); 10(4)(a); 10(5)(a); 10(5)(c); 10(6)(a); 10(6)(b); 10(6)(c); 10(6)(d); 10(6)(e); 10(6)(f); 10(6)(g); 10(7)(b); 10(7)(c); 10(7)(d); 10(7)(e); 10(7)(f); 10(7)(g); and 10(8)(a) as cited in the application were 1) adopted by the Board of Natural Resources on February 28, 2018; 2) filed with the Georgia Secretary of State on March 8, 2018, and 3) effective twenty (20) days thereafter on March 28, 2018, being duly adopted in accordance with Georgia law. I further certify that EPD has sufficient statutory and regulatory authority to enforce its CCR regulations and permitting program.

This is a legal opinion, not a ruling of law; therefore, a court could reach a contrary conclusion. This certification is provided to the Director of the Georgia Environmental Protection Division to assist in the exercising of its statutory authority under the Georgia Comprehensive Solid Waste Management Act to operate a Coal Combustion Residuals permitting program. This certification should not be relied upon by third parties in the assessment of their legal rights or obligations under the Georgia Comprehensive Solid Waste Management Act and the rules and regulations promulgated thereunder. Notwithstanding the fact that this certification is not to be used by third parties in the assessment of their rights or obligations under State law, the U.S. EPA is not precluded from asserting, and it is intended that it will assert, that this certification is an authoritative interpretation of the Georgia Comprehensive Solid Waste Management Act and the rules and regulations promulgated thereunder. This certification supplements the Attorney General's Certification, July 27, 1993.

This 2<sup>nd</sup> day of April, 2018.

  
CHRISTOPHER M. CARR  
Attorney General  
State of Georgia